

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	CASE NOS. 3:16-CR-140
v.)	3:17-CR-56
)	
JOHN LANGSDON OVERSTREET)	JUDGES REEVES/GUYTON

SENTENCING MEMORANDUM

The United States of America, by and through the United States Attorney for the Eastern District of Tennessee, hereby states that it has no additional information regarding the issue of sentencing, apart from the information contained in the Plea Agreement and in the Revised Presentence Investigation Report (“PSR”).

The PSR prepared by the United States Probation Office establishes that the advisory Guidelines range is an offense level of 30 with a criminal history category of I, or 97-121 months. (3:16-CR-140, Doc. 29 at ¶ 78.) However, because Title 18, United States Code, Section 2422(b), requires a minimum term of imprisonment of 10 years, or 120 months, the advisory Guidelines range is 120 to 121 months’ imprisonment. (3:16-CR-140, Doc. 29 at ¶ 77-78.) The United States believes that this range adequately considers the sentencing factors enumerated in 18 U.S.C. § 3553(a).

Pursuant to the Plea Agreement, the parties have agreed that the appropriate sentence is 120 months’ imprisonment in case number 3:16-CR-140 to be served concurrent to 78 months’ imprisonment in case number 3:17-CR-56. (3:16-CR-140, Doc. 20 at ¶ 7.) The agreed upon sentence is within the advisory Guidelines range, and the United States believes that it is sufficient,

but not greater than necessary, to accomplish the goals of sentencing. Additionally, the United States believes that the agreed upon lifetime term of supervised release is appropriate in this case.

The United States reserves the right to offer argument at the sentencing hearing as it deems appropriate and as the Court permits.

Respectfully submitted, this 6th day of February, 2018.

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CERTIFICATE OF SERVICE

I hereby certify that, on February 6, 2018, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, to include:

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All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

By: s/ LaToyia T. Carpenter
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